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July 6, 2020

VIA ECF

The Honorable Judge Jesse M. Furman  
United States District Court Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, N.Y. 10007

Application GRANTED. The deadlines are adopted as set forth herein. If the parties exercise due diligence in seeking to resolve the case and believe that a further extension would enable them to resolve it, they may apply for such an extension when the deadline approaches. The Clerk of Court is directed to terminate ECF No. 13. SO ORDERED.



July 7, 2020

Re: Trustees for The Mason Tenders District Council Welfare Fund, Pension Fund, Annuity Fund and Training Program Fund et al v. N.B.A. Construction., Inc.  
S.D.N.Y. Index No. 20-cv-02242-JMF

Dear Judge Furman:

The undersigned and this firm represent N.B.A. Construction., Inc. (“NBA”) in the above-referenced case. NBA has only recently been made aware of this case and I was forwarded the case today.

The Court has previously set a briefing schedule for the subject petition, and has set responses due by July 9<sup>th</sup>, and reply by July 16, 2020.

I ask that the two above submission dates be adjourned to July 23<sup>rd</sup> and July 30<sup>th</sup>, respectively, specifically to permit the parties to resolve this matter and to permit me the time to confer with my client, and get the balance of the file.

Plaintiff’s counsel Savci and I conferred this morning and he consented to my request. He also suggested that I request that the matter be held in abeyance by the Court while the parties work out a settlement. If the Court permits, I ask for such relief on consent as well. Mr. Savci and I have worked on prior matters as opposing counsel, and I am confident that the matter can be resolved without the Court’s further intervention.

Respectfully submitted,



Peter M. Kutil

PMK:sas

cc: Haluk Savci, Esq. (via ECF)